

### **REMARKS**

Claims 1-26 are pending in the application. Claims 19, 21 and 22 have been amended. Reconsideration of this application is respectfully requested.

The Office Action has objected to the specification on the basis that the Serial Nos. of the related applications at page should be supplied. The specification has been amended at page 1 to supply the Serial Nos. Accordingly, it is submitted that the objection is obviated by the amendment and should be withdrawn.

The specification has also been amended by adding a paragraph that claims the benefit under 35 U.S.C. 119(e) of U.S. Provisional Application No. 60/238,837, filed on October 6, 2000 and of U.S. Provisional Application No. 60/269,301, filed on February 16, 2001. This claim was made in the Declaration.

The Office Action rejects claims 19 and 21 under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,525,749 to Moran et al., hereafter Moran.

Claims 19 and 21 have been amended to change the alternative "or" to --- "and". Claims 19 and 21 have also been amended to clarify that the recited signals are selectively emitted from the use of the respective tips of the electronic pen.

The rejection was based on ignoring the language that succeeds the alternative "or". Since "or" has been changed to "and", the succeeding language must be considered. Moran does not teach "emitting a signal having a second characteristic from use of a second tip of said electronic pen input device". Since Moran lacks this teaching, the rejection of claims 19 and 21, as amended, is inapplicable.

For the reason set forth above, it is submitted that the rejection of claims 19 and 21 under 35 U.S.C. 102(e) as anticipated by Moran is obviated by the amendment and should be withdrawn.

The Office Action rejects claims 1-9, 12, 13, 16, 20 and 22-25 under 35 U.S.C 103(a) as unpatentable over Moran in view of U.S Patent No. 6,556,190 to Fleck et al., hereafter Fleck.

The Examiner concedes that Moran does not teach a pen that emits a second signal having a second characteristic, but that Fleck does and that it would be obvious to use Fleck's pen in Moran's system.

With respect to claims 1-9, 12, 13 and 16, this rejection is erroneous because, contrary to the Examiner's position, Fleck does not teach a second tip of the pen that emits a signal having a second characteristic. Fleck's pen has a stylus tip 11 for contacting the tablet and an eraser tip 27. However, Fleck does not teach that eraser tip 27 emits any signal whatsoever. In fact, Fleck does not teach how tip 27 is used to accomplish an erase function. Therefore, Fleck lacks any teaching of the pen having second tip that emits a signal having a second tip that emits a signal having a second characteristic.

With respect to claim 20, this rejection is erroneous because, contrary to the Examiner's position, Fleck does not teach emitting a second signal having a second characteristic from use of a second tip of the pen. Fleck's pen has a stylus tip 11 for contacting the tablet and an eraser tip 27. However, Fleck does not teach that eraser tip 27 emits any signal whatsoever as set forth above in the discussion of the rejection of claims 1-9, 12, 13 and 16.

With respect to claim 22, this rejection is erroneous because, contrary to the Examiner's position, Fleck does not teach a pen input device operative to

emit a first signal having a first characteristic and a second signal having a second characteristic. Fleck's pen has a stylus tip 11 for contacting the tablet and an eraser tip 27. However, Fleck does not teach that eraser tip 27 emits any signal whatsoever as set forth above in the discussion of the rejection of claims 1-9, 12, 13 and 16.

Moreover, the rejection of claims 1-9, 12, 13, 16 and 20 is also erroneous because Moran does not teach interpreting the emitted signal as handwriting or as control information based on the detected characteristic of the emitted signal. Since Moran, by concession, lacks the emission of a signal with a second characteristic from the second tip of the pen, Moran also lacks this interpreting feature.

Independent claim 22 has been amended to change the alternative "or" to "and". The rejection of claim 22 is inapplicable to amended claim 22, because Moran does not teach to interpret the emitted signal as one of information to be stored by the input device system and information to be forwarded to the computing device. Similarly, the rejection of dependent claims 23-25 is inapplicable.

For the reasons set forth above, it is submitted that the rejection of claims 1-9, 12, 13, 16, 20 and 22-25 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action rejects claims 10 and 11 under 35 U.S.C 103(a) as unpatentable over Moran in view of Fleck as applied to claim 1, and further in view of U.S Patent No. 6,441,810 to Skoog et al., hereafter Skoog.

This rejection is erroneous for the reason set forth above in the discussion of the rejection of claim 1.

For the reason set forth above, it is submitted that the rejection of claims 10 and 11 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action rejects claims 14 and 15 under 35 U.S.C 103(a) as unpatentable over Moran in view of Fleck as applied to claim 1, and further in view of U.S Patent No. 6,415,240 to Kobayashi et al., hereafter Kobayashi.

This rejection is erroneous for the reason set forth above in the discussion of the rejection of claim 1.

For the reason set forth above, it is submitted that the rejection of claims 14 and 15 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action rejects claims 17 and 26 under 35 U.S.C 103(a) as unpatentable over Moran in view of Fleck as applied to claim 1, and further in view of U.S Patent No. 6,417,844 to Kodama et al., hereafter Kodama.

This rejection is erroneous for the reason set forth above in the discussion of the rejection of claims 1 22.

For the reason set forth above, it is submitted that the rejection of claims 17 and 26 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action rejects claims 18 under 35 U.S.C 103(a) as unpatentable over Moran in view of Fleck as applied to claim 1, and further in view of U.S Patent No. 5,963,199 to Kato et al., hereafter Kato.


This rejection is erroneous for the reason set forth above in the discussion of the rejection of claim 1.

For the reason set forth above, it is submitted that the rejection of claim 18 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

It is respectfully requested for the reasons set forth above that the objection to the specification be withdrawn, that the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) be withdrawn, that claims 1-26 be allowed and that this application be passed to issue.

Respectfully Submitted,

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